IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 7391 of 1988

For Approval and Signature:

HONOURABLE MR.JUSTICE M.R. SHAH

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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BALUBHAI KODIYABHAI PATEL - Petitioner(s)

Versus

RETURNING OFFICER & DEPUTY MAMLATDAR & 2 - Respondent(s)

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Appearance :

MR BA SURTI for Petitioner(s) : 1,
DS AFF.NOT FILED (N) for Respondent(s) : 1,
MR SH SANJANWALA for Respondent(s) : 2,
Mr. MR Mengdey, AGP for Respondent(s) : 3,

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CORAM : HONOURABLE MR.JUSTICE M.R. SHAH

Date : 22/09/2005

ORAL JUDGMENT

In this petition under Article 226/227 of the Constitution of India, the petitioner has challenged the legality and validity of the order passed by the Deputy Collector, Navsari, dated 25th

October 1988 in Election Appeal No. 1/1988 in dismissing the same and confirming the order passed by the respondent No.1, Returning Officer and Deputy Mamlatdar, Chikhli by which Nomination Form of the petitioner which was for election of Sarpanch of Amidhara Gram Panchayat came to be rejected. By afflux of time, the present Special Civil Application has become infructuous as the petition is of 1988 and even the election for Sarpanch was to be held in 1988. Hence, the present Special Civil Application is dismissed as having become infructuous. Rule is discharged.

[M.R. Shah, J.]

RMR.